

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 1 has been amended to require that the heating under the specified acidic conditions is at an ionic strength of less than 0.2, which is based on the disclosure at page 10, lines 23-24 of the specification.

New claims 11-14 have been added to the application.

Claim 11 corresponds to claim 1, but is directed to the method recited in the paragraph bridging pages 3-4 of the specification.

Claim 12 corresponds to claim 2.

Claim 13 is directed to the drying step in claim 1, and is dependent on new claim 11.

Claim 14 corresponds to claim 10.

The patentability of the presently claimed invention over the disclosure of the reference relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1-2 and 10 under 35 U.S.C. §102(e) as being anticipated by Bringe is respectfully traversed.

This reference was previously applied by the Examiner in rejecting the claims, in the Office Action mailed October 20, 2006. In responding to that rejection, Applicants noted that claim 1 was amended to recite a pH of 3.5 to 6.0 during the heating step, whereas the Examiner indicated that the heat-treatment in the Bringe reference is conducted at pH 6.7 to 7.2. The Examiner subsequently indicated that claim 1 as thus amended was allowed. But in the present Office Action, the Examiner states that Example 8 of Bringe teaches adjusting the soy protein isolate suspension to pH 5.6, which is within the presently claimed range.

Example 8 of the Bringe reference discloses the following:

“Sample preparation: SPI (described in Examples 3 and 4) suspensions were prepared at 7% protein and 3.5% NaCl in the water phase and allowed to hydrate over night in the refrigerator. Then the pH of the solutions were adjusted to pH 5.6 using dilute HCl.

Dynamic viscoelastic measurement: The temperature was increased from 30 to 70 or 90 degrees C. then lowered to 20 degrees C” (Column 32, lines 50-63.)

However, since as much as 3.5% NaCl (corresponding to an ionic strength of 0.58) is added, solubility within a neutral pH range exceeds 70% and therefore the reduction of a hydration property and high viscosity of a solution can scarcely be expected.

On the other hand, in the present invention, heating a protein having a β -conglycinin content of 40% or more is carried out in an acidic range including the isoelectric point (page 3, lines 12-15 of the specification). When ionic strength is 0.2 or higher (corresponding to a NaCl concentration of 1.2% or higher), β -conglycinin protein becomes soluble even at the isoelectric point (as described in page 10, lines 23-24 of the specification, β -conglycinin protein is precipitated at pH 4.0 to 5.0 and ionic strength of less than 0.2) and the desired reduction of hydration property and high viscosity effect of the present invention can hardly be obtained.

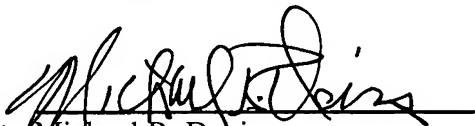
The Bringe reference fails to disclose or suggest this feature of the present invention, wherein heating of the solution or paste under acidic conditions is conducted at an ionic strength of less than 0.2, as set forth in amended claim 1. The reference also fails to disclose or suggest the effect of the present invention, i.e. reducing the hydration property and high viscosity of a solution of β -conglycinin protein, as now set forth in new claims 11-14.

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the applied reference.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the ground of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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